IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS PINE BLUFF DIVISION

JEFFERY CHARLES ELMORE ADC # 091418

PLAINTIFF

 \mathbf{v} .

No. 5:12-cv-325-DPM-BD

WENDY KELLY, et al.

DEFENDANTS

ORDER

No one has objected to Magistrate Judge Beth Deere's Partial Recommended Disposition, *Document No.* 52. Having reviewed for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (Advisory Committee notes to the 1983 addition), and for legal error, the Court adopts the proposal as its own. Elmore's motion for summary judgment, *Document No.* 34, is denied.

So Ordered.

D.P. Marshall Jr.

United States District Judge

8 Janvary 2013